

USDA - APHIS

TRANSCRIPT OF PUBLIC COMMENTS RECEIVED DURING THE
NATIONAL ANIMAL ID PROGRAM LISTENING SESSION

HUTCHINS STREET SQUARE
125 S. HUTCHINS STREET
LODI, CALIFORNIA

SATURDAY, JULY 10, 2004 - 9:30 A.M.

IN ATTENDANCE:

WILLIAM HAWKS, UNDER SECRETARY, MARKETING & REGULATORY PROGRAMS
A.G. KAWAMURA, SECRETARY, CALIFORNIA DEPARTMENT OF AGRICULTURE
DR. VALERIE RAGAN, ASSISTANT DEPUTY ADMINISTRATOR
ROB WERGE, MODERATOR

MR. WERGE: A number of you have signed up for comments. What I'll do is, I'll call them by your sign-in time and have a group of you come up here in groups of five, and then one by one we'll just ask you to give your comments. It could be that Valerie's presentation has covered some of your concerns, and if that is true, then you can simply say "pass" at that point.

The comment period is limited to three minutes, and there is a magic timer on the desk over there. When it's green, it means keep talking. If the green light is beginning to blink, time is running out. Then it goes to yellow. You know what yellow means. And then it goes to red, which means your time is up. All of those who are giving those comments, they will be recorded, and I will ask you to please state your name correctly as I will probably pronounce it incorrectly, and also the organization that you come from.

And then Jennifer, who appears to be breathing into the mask over there, in fact will transcribe it and it will be posted on the web. So, if the following folks could please come up. And again, what we will do is, we will hold any response from Valerie or Mr. Hawks until the end of these comments. At that point, our meeting will be over. There will be a time for informal discussion afterwards, but essentially what we're trying to do here is get whatever formal comments may come.

So, among the folks who signed up is Barbara Masin, Roger Ward, Dominique Minaberngarai, Lesa Eidman, and Rob Rutherford. If you could come up, there are five seats up here, and then we will take you in order. Thanks for being brave and speaking in front of all these folks. If you could come over and kind of speak from the podium here, and that will also help the transcriber to get your comments. So, Barbara.

MS. MASIN: My name is Barbara Masin. I'm with EID, and I'd like to comment specifically on the Animal ID data standard. It was specified by the USAIP. That's the standard called ISO 11784-85, and I have personally participated in a number of these ISO standards meetings that resulted in the ISO 11784-85 standard, so I'm very familiar with the issues that affect that standard.

There's a major problem with that standard. For farm to table traceability, there's one basic premise; you have to have one animal and one ID. If you have two animals with the same ID, it wreaks havoc with the system. The problem with the ISO standard is that it cannot ensure unique ID. You've got vendors offering code numbers made to order. You've got vendors selling blank chips for the user to code, and you've got programmable chips, so the animal can change its identity several times within its life conceivably.

The reason this exists is that the ISO standard is an open standard. It's like a cookbook recipe, and anybody who is interested can essentially become involved and make transponders or RFID tags that would correspond to that standard. This works very well as a premise, having an open standard, for things like A4 paper, where it doesn't matter whether I buy my paper from, say, Xerox or Weyerhaeuser, as long as it fits in my photocopier. The same thing for modem standards. If I buy a standard modem from US Robotics or Motorola, I don't care, as long as it communicates according to the standard ISO protocol.

The problem is if you are presuming to identify and provide a unique identifier with the standardized product and doing it on the premise of essentially a system that's easily clonable--an

analogy would be putting a license to print money, like dollars, in the public domain, and passing legislation isn't going to fix the fundamental flaw. If there is a recipe out there that says, "Buy this paper, use this ink, and you can essentially go ahead and print dollar bills without restriction."

Now what has further compounded the problem since the standard was first defined in the early 1990's is the advent of a new miniaturized read-write technology that's essentially allowed this programmability to be done very cheaply and in very small form factors. And essentially what it's done is, it's made the ISO standard unsuitable for the purpose of unique identification of open-loop traceability systems such as the disease traceable system that is being proposed. I can demonstrate how a tag can be duplicated afterwards if people would be interested. So thank you very much.

MR. WERGE: Thanks, Barbara. Roger.

MR. WARD: Hi. My name is Roger Ward. I'm from Campbell, California. I'm a member of the American Dairy Goat Association and a participant in the Scrapie ID program. Without meaning to be flippant, at a \$30 million a year funding level it's gonna be many years before this has any impact on my personal business. I make the assumption that a data management problem of these proportions can only be addressed through electronic identification, network readers interfacing with centralized data repositories. I'd like to express concerns from an individual perspective and from an industry perspective. My most significant concern is that, as a small producer, I will be bearing a disproportionate share of the cost while receiving negligible benefits. I'm also concerned about loss of privacy, intrusion on my private business practices, the

initial cost of scanners and other electronic devices, and then ongoing configuration and maintenance of software that will be interfacing with the national databases.

From an industry perspective, I perceive this program has high technical risk. The number of data entry points is staggering, the volumes of data transactions. You see millions of transactions per week just by looking at the USDA market report. The number of individuals who must be trained on new technologies and who are not necessarily the most technology-literate are truly Herculean. The training costs would be astronomical.

All of this comes to a simple point of cost and benefit analysis. We have seen similar data management problems attempted by state and federal governments. We have the Air Traffic Control System, the California system for tracking alimony payments, the IRS system for tracking tax payments. All of these programs are in the \$200 million to \$1 billion level. It is not by any means a cheap program, what is being advocated here.

In terms of benefits, how are these benefits being considered in an economic term? I didn't see a dollar cost associated with the benefit of this program, either to individual industry or to the nation itself. Benefits are being expressed subjectively. When we're talking about these kinds of dollars, benefits need to be expressed quantitatively.

Finally, there needs to be a clear understanding as to who is actually receiving the benefits.

Thank you.

MR. WERGE: Thank you, Roger. I think that there is probably a problem with hearing. Let me just see if we can get the volume up here. And I think what I will do is ask folks,

as you speak, to speak into the microphone a little bit more directly. Okay. Dominique.

MR. MINABERNGARAI: Good morning. My name is Dominique Minaberngarai. I'm a sheep producer from Bakersfield, California, as well as secretary of our Kern County Wool Growers Association. And myself as well as some of our growers from Bakersfield have come here today to express our concerns with some of the language that you have proposed here. On the outset, I'd like to say that we are willing to work on an ID system. We do recognize the importance of an ID system. Our main concern is that you establish a system that we can actually work with and comply with.

That being said, our key concern that we have is the definition of premises, and I don't know what exactly--the presentation given this morning didn't get into that detail. Maybe that detail hasn't been worked out yet. But the sheep working group that was established recommended that a premise be identified as a ranch headquarters, and we are strongly urging that that recommendation be paid attention to.

The sheep that we have in Kern County as well as in the western United States do a lot of thousands of sheep at a time. Most of our growers, for example, have anywhere from 5,000 to 12,000 sheep. They operate on a lot of rented pasture throughout the year. What we would be advocating is that we do a scan, if we're talking about the RFID, of the ear tags during change of ownership, but that at that time of change of ownership you would have the animal identified as to which headquarters it came from. If we were to be required to scan that animal when they're moving from one farmer's field to another farmer's field where we're renting hundreds if not

thousands of acres from many different individuals, it would be physically impossible for us to do that on a day-to-day basis.

I won't get into the details now, but I have outlined the movements of a typical sheep producer in Kern County in written comments that I will be submitting. Just suffice it to say just for now that, as was pointed out earlier, we're talking about a lot of people who themselves are not very technology literate, and the workers in the field are even less so. They have a hard time just using a cell phone. And to be required to scan these guys all the time, then move a sheep-- thousands of sheep at once, would be impossible.

So what we were proposing would be that the premise--that you do take the sheep working group's definition of premises as being a ranch headquarters. We all have our documents, paper trail, as to which leases we have, where our animals have been. I don't think there's a necessity to have to read that tag every time a sheep moves from one leased pasture to another, and the rest will be in my comments. Thank you.

MR. WERGE: Thank you very much, Dominique. And Lesa.

MS. EIDMAN: Good morning, and thank you for the opportunity to bring forward our industry's concerns with the National ID system. My name is Lesa Eidman. I'm the Executive Director of the California Wool Growers' Association, which represents the second-largest sheep producing state and its membership base. The sheep industry in the United States, with a problem animal health issue, created the scrapie program, which all producers are mandated to abide by. The California Department of Ag, specifically the Animal Health branch and the state

veterinarians, have done an exceptional job of working with our producers and implementing these programs.

However, the requirements set forth in the scrapie program are only a minor piece of what could possibly be required through the National ID system, and because of this I encourage the USDA to extend full funding to the states.

The general scope of the California industry is very unique and diverse. There's three primary sectors of the industry. The commercial, which accounts for 65 percent of our production; farm flocks, which is considered to be either a hobby or a secondary income; and the youth, which is either a 4-H or FFA member. These sectors have completely different needs and requirements in order to comply with the proposed system. Asking producers to record movement through individual ID will lead to noncompliance, which defeats the purpose of the program, not to mention a database that I can only imagine will be nightmarish to manage.

If the program is designed with burdens, the industry will only continue to face a downward spiral and even more producers will be forced to exit the industry. It's important to know that by establishing a blanket program the balance of productivity will fail, and producers will be producing at an unfair advantage. It's crucial to analyze the economic impacts that the ID system will have. The full cost of implementing this program will go far beyond the direct costs and the personnel related, and the program will force sectors of the industry, be it producers, feeders, or packers, to downsize and reduce production, which, in turn, is a cost that's being left out of the equation.

And one of the many questions I pose for the USDA is this. If this program is truly reflective of protecting and monitoring animal health, then I ask, what is being done to monitor and trace the national wildlife, which is also a disease carrier within nature and to our own animal herds.

Now, the industry realizes the purpose of a national ID program is to be able to track animals in the event of some disease outbreak. However, the industry currently has a scrapie program which allows for adequate tracking of animals for disease which are currently perceived as being problematic. It is vital to assure producers that they will not be burdened by the system, be it through the flow of commerce being interrupted or being micromanaged, and that-- because producers are already faced with a comparative disadvantage against the countries which import high volumes in the United States. We cannot allow for the program to make this disadvantage greater.

And finally, I encourage you, if you ever have any questions or concerns with the program, that you contact either our office or the producers when it comes to production-related questions, because they're the ones that are truly gonna be impacted by this and they're the ones that will have the true answers for you. And I thank you again for the opportunity today.

MR. WERGE: Thank you, Lisa. Rob.

MR. RUTHERFORD: Thank you for the opportunity to address this panel. I'm Rob Rutherford. I'm the vice-president of the California Wool Growers Association. I'm also a professor of animal science at California Polytechnic State University, a school that's proud to call

Richard Breitmeyer one of our former students. And I'm also a producer responsible for 150 sheep that have been at the certified level of the National Scrapie Certification Program for five years. I echo the comments of the previous speakers and encourage you to adopt much of what the USAIP working group has put before you. I'd like to continue to expand on a couple of points.

I believe that the current programs that we have, the National Scrapie Certification Program and the Scrapie Eradication Program are capable of tracking sheep for disease purposes. They have not been fully implemented. We do not have total compliance. I believe our money would be better spent to try to make these programs better rather than embarking on a whole new adventure.

I would also then come to the point of benefits. I believe in our society we believe that those who benefit from certain things are the ones who pay for them. Certainly as taxpayers, when we want protection, we tax ourselves to hire security forces. When we want governmental leadership, we tax ourselves to pay for the people to provide that leadership. When we want education, we tax ourselves to pay for that. I believe that those who will benefit from this program are not necessarily the producers, but the society, the economy, those who are involved with trade, and those ought to be the people handling the burden. Repeating what earlier speakers have said, the benefits to individual producers will be minimal.

The next thing I'd like to comment on is field trials. I do not believe that they are significant enough, not only in scope, but in time. I believe the field trials need to be carried out over a wider variety of production systems in various parts of the country. I think they need to be conducted over a much longer time frame than what I've seen here today, and they must be fully

funded by the agency, organization, that would like to see them passed.

In addition to that, I would like to bring to your attention that we must have monitoring criteria for these trials which would not only indicate what we see that's going well, but we also need to have clearly defined as what we see as going wrong.

We need to identify the red flags, and we need to be prepared to admit that this may not be the best program that we can come up with and identify alternatives, including scrapping the program entirely. I believe that there is a presumption that this program is gonna work and we're gonna continue to tweak it until we get it that way, and it becomes like an irrigation system which ends up to be more patches than pipe.

I think at each step of the way the question needs to be asked, "If we take this action, will this take us towards where we want to go?" And I heard that in the presentation this morning and I applaud that. I encourage you to ask that question. If we take this step, will it take us where we need to be?

My experience is that many programs are expanded as we go along to add more pieces in parts not because they have to, but because they can. I think we also have to come back with this program and ask the hard question, "Do we need to do this for the benefit of producers and agriculture in the United States?" Thank you.

MR. WERGE: Thank you, and thanks to our first five speakers. Thanks for being articulate. I'm assuming that you're able to hear in the back at this point? Okay. Very good. The next five folks, Kenny Watkins, Wendell Peart, Wayne Rankin, Jan Carlson, and Gary Naserat.

Then one more, Darrel Sweet. Okay. We'll start with Mr. Watkins.

MR. WATKINS: Hello, I'm Kenny Watkins, president of this county's Farm Bureau, San Joaquin County. Speaking on behalf of the cattle producers, no one really wants to ID their animals, but in reality, it's something we figure we can't stop. What we want to do is be able to work together to create a feasible, easy, economical, and effective program that also protects our confidentiality and our liabilities.

As far as administration, there's many forms of ID programs already in use today. We have range and townships, the postal addresses, the county APN numbers, and, most of all, the FSA system with our farm numbers and our tract numbers. Already all the dairies are on that in the milk program, the wool and mohair, anybody that's ever participated in a disaster program, and most diversified farms are already in the FSA system. They have offices throughout the nation. They have a national computer system, experienced staff, the aerial photos to identify the premises easier, and the producers are already familiar and aware of it. Rather than add more government, we can just add some data entry people possibly at the FSA offices instead of creating this whole new bureaucracy. And the cost shouldn't be solely bared on the back of cow and calf producers. Society's gonna benefit, and society needs to pay for this.

And with this implementation, all of the arguments against country of origin labeling are out the window, and at least we should be able to get country of origin labeling with this implementation. You know, today at the FSA office I do my air quality permit for the State of California is through the FSA office, the ag water discharge permit through the RCD at the FSA

office, my Equip program is at the FSA office, any disaster programs, the farm bill programs, FSA loans. I want one-stop shopping. I've got enough government to deal with. It would be a lot easier if I could do it all at one stop. Thank you. I'm gonna conclude with that.

MR. WERGE: Thank you very much. Wendell.

MR. PEART: My name is Wendell G. Peart. I'm a licensed veterinarian in the State of California. Preliminary remarks. My son and daughter-in-law live in England, where they lost 180,000 cattle to BSE and 100 people died. They won't eat beef. Thank God you're undertaking this program. Comments have been made, there is a cost. This is insurance, and insurance does have a cost.

I support the effort to establish a national ID program as put forth on the Beef Information Exchange. Spokeswoman John Saunders, in an article that appeared in the Progressive Grocer issue of April 1st, 2004, says, "The purpose of the exchange is to create data sharing standards for the beef industry and provide a secure technical platform to facilitate information exchange throughout the beef supply chain."

She went on to say that the exchange had been working aggressively to assist the industry by providing a realistic, industry-driven solution to the traceback issue based on the animal tracking technology development and implementation experience.

On April 29, 2003, I mailed a certified letter to the Secretary of Agriculture. As a veterinarian, I felt it necessary to be recorded and speak out for what I felt was a problem that government officials ought to face up for the good of the public rather than the good of special

interests. I'd like to put into the record today two key paragraphs of that April 29 letter to the Secretary of Agriculture that stresses the importance of a National Animal ID Program.

Quote, "The use of an individual animal identification program plugged into a data collecting reporting system will allow such a system to immediately isolate the source of any health risk. An electronic system would help the USDA with diseases such as BSE and hoof-and-mouth disease. These electronic ear tag tracking devices will serve to safeguard both public health and increase public confidence in the beef supply. It will help the industry to quickly trace disease sources, focus remedial action only where it was needed, and provide customers with additional assurances that the meat they are buying is safe.

"In a discussion of animal health, it is fitting that the position of the American Veterinary Medical Association, AVMA, be put into the record as to full quality and safety. In 1993 the AVMA took the position as to the assurance of food quality and safety that there be, quote, 'Mandatory animal identification to enable tracking of animals through marketing channels to final products and traceback to origins,'" end of quote.

I have to say at this time, I had no idea that a cow would be discovered in Canada to have bovine spongiform encephalopathy. From what I gathered, I was the only one in the United States that went so far as to certify by registered mail to the Secretary of Agriculture that BSE was a problem that should be faced up in April, 2003. Had my advice been followed, the USDA would be well on its way to addressing the problem now before you, which brings up a couple of questions.

At this time, are you able to give us a rough idea of when the livestock industry can expect mandatory animal ID? I think you've done that. Who will pay for the program, and how will it be set up? And you're exploring that. Thanks.

MR. WERGE: Thank you very much, Wendell. Next, please.

MR. RANKIN: I'm Wayne Rankin. I'm from Reno, Nevada. I raise llamas, and I--in mentioning--this is basically just questions, no prepared remarks. But it seemed like you're talking about food producers. Llamas aren't really used for food, so maybe you don't even have anything to do with them. But we already microchip the llamas. They have ID numbers. They're registered in a major computer system in the country. They have pictures that identify each one to go with the microchip and the number that's issued to them. It does not have any premise indicator on that microchip as it is, and it's not real easy to take the microchip out to put a different microchip in when you take them across the fenceline. Real hard. They do not have ear tags.

So, in the question, are you, first, interested in llamas? In your scenario here, does the llama get re-chipped, the top of its head get cut open to take the chip out and re-chip it each time that it moves?

And already we are required to get certificates from the veterinarian to take it across state lines to show it, which is what I do with mine primarily, so there's a cost every time. It's \$30 per animal. I take ten at a time, so I pay \$300 to take my llama from, say, Reno to California or Reno to Oregon or Reno to Montana. Huge cost in moving a llama across the line. Does this increase the cost?

Do we put up with more government people to come out to my little farm to look over my 154 llamas to make sure that they're not in the wrong fence at any given time? Again, just all the questions, and I'm just a dumb llama farmer, don't know the answers to any of these things. So possibly you guys could straighten them all out. Thanks.

MR. WERGE: Thank you very much. Gary.

MR. NESERAT: Good morning. Gary Naserat, Naserat Consulting. Just had some questions, no really prepared statement. One of the questions I had is, what will happen with the current GPS/GIS interface that some of the different agencies are working on that are out gathering data right now. Is that being compiled? Is that gonna be utilized? Can it be shared, and then is the ID system then necessary if this actually works, the GPS/GIS interface?

One of the questions I have is, the educational component, how will that work? We know with different budget cuts, universities and cooperative extensions across the state are being impacted and on the decline, so how will that be utilized? With your different industry groups, have you actually incorporated some of the livestock marketing people, because they're gonna be a key component all across the United States. How will they be utilized? Also, small producers and how will they be affected? That's it. Thank you.

MR. WERGE: Thank you very much.

MR. SWEET: I'm Darrel Sweet, president of the California Cattlemen Association. I appreciate the opportunity to speak this morning. The California Cattlemen Association, of course, represents cattlemen throughout the state. We spend a lot of time in California and

Washington, D.C. addressing all of the issues surrounding the implementation of a National Animal ID System, and we certainly appreciate the opportunity to present these comments.

It's clear that the USDA has received quite an education in the last few months regarding obstacles which need to be overcome before any program gets off the ground. First, any National Animal ID System must be workable and cost-effective for beef producers in this state and elsewhere. We need a system which places a premium on simplicity and practicality above all else.

We're particularly concerned about the implications of a National Animal ID System to smaller producers and auction market owners. CCA strongly supports a program which is voluntary and market driven, at least until these technologies and protocols have been field tested and Congress has dealt with the security and confidentiality concerns of beef cattle producers.

Funding is a critical issue. It's absolutely imperative that adequate federal funding be made available continuously to assist producers, auction market owners, feed lot operators, and state animal health agencies with implementation of any National Animal Identification Program. In addition, this funding should be used not simply to build upon existing bureaucracies but to assist auction market owners and feedlots, packers, build critical components of the infrastructure and help offset the producers' costs.

It's also been mentioned previously, it's essential to test any type of system at the grassroots level through pilot projects, especially given different means of marketing cattle here in the west. We currently are working with a number of other Cattlemen Associations, CDFA, and other states

to develop a western pilot project, and we hope this will tackle many of the tough questions we all have about definitions of premise, interfacing with state brand departments, private trading sales, and other.

Also, let's not overlook the fact that private industry is chomping at the bit to be involved in this system, and we all know that the private sector can often accomplish things faster and more cost-effectively than government. So let's let the free market system decide on what technology is best and cheapest for our industry and our producers.

This analogy has been made before, but it's a good one. Everyone in this room probably has at least one credit card and every shop in the country probably has a reader which can read these cards. The government didn't develop the system. The government didn't mandate that we all carry credit cards; instead, we have a standardized system with virtually 100 percent compliance simply by letting private industry take the reins and spur progress by making a system that provides market incentives for participation.

At the same time, a private data system which meet USDA's needs for animal health and movement information may also be exempt from FOIA and privacy acts. Our main priority is to implement a system that is voluntary, market-driven, and which will allow potential problems within the system to be identified and the plan modified to address these problems. Thank you.

MR. WERGE: Thank you. Thanks to our panel. We have three more folks who have signed up. Joan Dean Rowe, Dominique--Dominique, I believe you went already. All right.

MR. MINABERNGARAI: I can go again.

MR. WERGE: Actually, a lot of people didn't hear what you have to say, I don't think, but I guess we'll leave that for the informal period. Let me just call the rest. Bruce Blodgett, and Rex Backus. If you would come up. Thank you.

MS. DEAN ROWE: Hi. My name is Joan Dean Rowe, and I'm a veterinarian at UC Davis but today the hat I'm wearing is as a director for the American Dairy Goat Association. I have no prepared comments, and both Jan Carlson, who is here, and myself have participated in the work group and development team.

But just a few comments on behalf of our industry was to recognize some comments that were previously made by the sheep industry representatives, that the program must be flexible and able to accommodate existing ID programs and alternate methods of identification for the special needs of specific species; for example, the tiny ears of a LaMancha goat and so on. Just to recognize those needs, and the ability to accommodate other programs that are also in place.

And also, cost containment for the producers, especially for animals that are of low unit value per animal. And also to maintain the confidentiality with access only to those with a need-to-know basis.

The other comments are general. A question, the draft of the uniform methods and rules, is that--will that be available for preview and comment prior to its presentation at US Animal Health? And the other is just a personal comment. I see this as a national program, and I see much of the burden will come back and fall upon the states to implement and maintain.

And so I'm wondering what sort of assurances that we have--here in California we have

what I believe is, without a doubt, the best animal health program and system in the country, and I see that it's already being burdened with many, many responsibilities, so what long-term assurance do we have for federal support, not just on an implementation basis, but through budget ups and downs and so on. What kind of long-term support can be assured at the federal level to sustain these programs? Those are my comments.

MR. WERGE: Thank you, Joan. Bruce?

MR. BLODGETT: I always love these things, the one-size-fits-all approach. Mr. Hawks, Secretary Kawawmura, we're certainly glad that you've brought your open-door policy here to Lodi to talk about this important program. We appreciate the fact--oh, yeah, my name is Bruce Blodgett, and I guess I should start there, with the California Farm Bureau Federation. We've always appreciated that open-door policy and being able to talk with you and work with you on issues such as this, so we appreciate you coming here and hearing firsthand the producers.

Something like this benefits you as much as it does me, to test some of the things and hear from the producers directly some of the concerns that we tend to hear in meetings that we sit in. So it's great to be out in the country and to have this opportunity.

I won't go through the laundry list of issues, but liability, confidentiality, these are things you've heard before. Consistency with existing programs, needs of different species. We have an aquaculture producer who's talking about 500,000 fish on his operation. You know, getting those big tags on those little fish is a real tough problem, so. But we really need to maintain the focus on the intent of this program, and that is maintaining the health of our animal agriculture.

Working with Congress--it's great to have Congressman Pombo's office, a couple of people from Congressman Pombo's office here today. You mention in your own sheet here, your question-and-answer sheet, the need to address confidentiality issues. It may take some legislation in Congress.

I also add, probably the liability issue. Individual producers are concerned about the liability and somehow being dragged into lawsuits and naming everyone along the production chain because someone unfortunately gets sick at the consumer level. So we need to address that liability issue.

I certainly appreciate your efforts to continue working with the industry and moving forward. One of the issues that was brought up earlier was country of origin labeling. Let's make sure that we have the technology in place that if we are going to move forward at some point that we're able to implement programs like country of origin labeling, and that this system will help facilitate that rather than stand as an obstacle.

I see that this program also has different needs even within USDA and the California Department of Food and Agriculture. Disease surveillance is obviously one. For country of origin labeling, that's a completely different purpose, and understanding how all that information fits together and works. For producers, it could yield great information, being able to track that information back from the retail level all the way back to the producer to see how they're doing, to see what kind of improvements they can make in their herds. But if it gets to the trial lawyers and the activists--and that's the concern that we hear from our producers.

So, where are we today? Again, this is a system to maintain the health of our animal agriculture, but even you realize that a Cadillac of systems will not prevent a disease outbreak in this country.

So I see it as we're at a traffic light, and I know you're from Mississippi, and people drive probably a little different in California--I'm sure you're aware, than they do in Mississippi. But I see us that we're at a yellow light. And depending where you're at, a yellow light sometimes means hit the gas and go as fast as you can, but sometimes it means slamming on the brakes. In either instance, you could end up on the evening news in a big wreck. What we need to make sure is that we do not end up in a wreck with this program. That's not saying we need to slam on the brakes; that's not saying hit the gas, either. We need to make sure. The good news is, we're under no deadline. The good news is we have no deadline in terms of when this program has to be adopted. If it's worth doing, it's worth doing the right way to make sure these issues are addressed. If Congress cannot give us the assurances we need to address confidentiality and the other issues, then maybe it's time to put on the brakes. Thank you very much.

MR. WERGE: Thanks, Bruce. Rex.

MR. BACKUS: Good morning. My name is Rex Backus. My wife and I milk LaMancha dairy goats to make cheese and market primarily locally. We're certainly familiar with government regulation, particularly regulation by people who are not entirely familiar with that which we're trying to do. We had a recent visit from an FDA inspector to look at our cheese factory and we found out that this gentleman was a person who was an expert in seafood and fish.

I don't know if he had ever been to a cheese factory before, but I'm sure he had never visited one on the scale of ours. I'm a member of the American LaMancha Club. I'm the secretary/treasurer of that organization. I mention LaManchas because Dr. Joanie has already mentioned the small ears. That presents some unique issues in dealing with animal identification. I really want to ask you people to please, just because we're not talking about large quantities, not a large population of animals, please, because our numbers may not seem terribly significant, please don't ignore our needs. Please don't ignore our requirements. We've seen an awful lot of shortcuts taken with minor species. We've been forced to fit into the use of somatic cell count for--am I too far away?

MR. WERGE: Yeah. If you could talk into the mic.

MR. BACKUS: We've been kind of forced into the use of somatic cell count for milk quality. That, fortunately, was rescinded relatively recently. Just because goats make milk doesn't mean they're like small cows. Just because they're about the size of sheep doesn't make them respond to the same management and nutritional areas that would be appropriate for sheep. So I'm really pleading here, not only for the dairy goat people but for the other minor species as well.

We're already involved in several animal identification issues. Our registry organization uses a tattoo. Tattoo is marginal for identification purposes. The useful life of a dairy goat could be six to ten years. No tattoos that I've seen yet, without maintenance, are legible over that period of time.

We're also impacted by the scrapie program. We seem to have been drug in there by the heels. Scrapie people rely very heavily on ear tags. The LaMancha dairy goat has little tiny ears,

smaller ears than you and I, and we don't really have any place to put tags.

But tattoos, we have like--we have immature animals we have to take to the livestock auction. We don't have a lot of real estate to tattoo lots of characters in there. So I'd like to ask you to please take--you know, take some cognizance of our requirements also. Thank you.

MR. WERGE: Thank you, Rex. Rosemary. This will be our final commentator.

MS. MUCKLOW: I find microphones irresistible. I appreciate Secretary Hawks and the secretary of the CDFA to come here today. It's a long way to Lodi, and it's a Saturday, and you gave up valuable time. Thank you to you and all your staff for supporting this.

My name is Rosemary Mucklow. I represent National Meat Association. We represent the most regulated segment of all in the farm to fork chain of food production, so we know a lot about regulation. We know a lot about government invasion and Freedom of Information, and we appreciate that you're looking at the confidentiality issues of this program. They are very, very important. Our confidentiality is invaded a great deal through public laws over which you have no control. We can understand why the people in this room would be concerned, and we know and appreciate you're looking at it.

I just want you to know I did visit Great Britain after the foot-and-mouth disease outbreak. I don't ever want to see in this country what I saw there. I went to Concabow, because I have relatives who stay there, and the devastation along the roads, the great banners up prohibiting people from entry to fields, it would make you cry. It was really, really, the saddest thing I've ever seen in agriculture. I don't ever want to see that in California or the United States.

We are the greatest country in the world, and in 2001 I went many times to Washington, and Secretary Veneman was confronted with the concerns of foot and mouth disease, and it was only natural, but she turned to Dr. Breitmeyer from the California Department of Food and Agriculture to provide key leadership before I think you were even in Washington, Secretary Hawks, so we can be very proud that California has played its part and contributed its expertise. As a person who attended those meetings, I was enormously impressed at the infrastructure that the United States already has, from California and the other 49 states, and harnessing that infrastructure is going to be very, very important in this effort, and we will do everything we can to support you.

This is not country of origin labeling, and I appreciate that it will help to facilitate those who could find a marketing advantage for country of origin labeling through this program, but this program is a totally different activity. I can go on for a long time, but thank you very much again for being here. The red light's on.

MR. WERGE: Thank you very much.

(End of public comment period.)